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OO RUEHFK RUEHGH RUEHKSO RUEHNAG RUEHNH
DE RUEHKO #3103/01 3142253

ZNR UUUUU ZZH

O 092253Z NOV 08

FM AMEMBASSY TOKYO

TO RUEHC/SECSTATE WASHDC IMMEDIATE 8639

INFO RUEHBJ/AMEMBASSY BEIJING PRIORITY 6275

RUEHFK/AMCONSUL FUKUOKA PRIORITY 0846

RUEHNAG/AMCONSUL NAGOYA PRIORITY 8894

RUEHNH/AMCONSUL NAHA PRIORITY 3207

RUEHOK/AMCONSUL OSAKA KOBE PRIORITY 4631

RUEHKSO/AMCONSUL SAPPORO PRIORITY 1418

RUEHGH/AMCONSUL SHANGHAI PRIORITY 0491

RUEHSH/AMCONSUL SHENYANG PRIORITY 0673

RUEABND/DEA DISTRICT OFFICE HONOLULU HI PRIORITY

RUEABND/DEA FIELD DIVISION ATLANTA GA PRIORITY

RUEABND/DEA FIELD DIVISION CHICAGO PRIORITY

RUEABND/DEA FIELD DIVISION LOS ANGELES PRIORITY

RUEABND/DEA FIELD DIVISION MIAMI PRIORITY

RUEABND/DEA FIELD DIVISION NEW YORK PRIORITY

RUNGCAF/DEA GUAM ISLAND GU PRIORITY

RUEABND/DEA WASHDC PRIORITY

RHMFIUU/FBI WASHDC PRIORITY

RUESFG/FBIS BANGKOK TH PRIORITY

RUESDJ/FBIS OKINAWA JA PRIORITY

RUESDP/FBIS SEOUL KOR PRIORITY

UNCLAS SECTION 01 OF 03 TOKYO 003103

SIPDIS

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E.O. 12958: N/A

TAGS: PGOV PHUM SNAR JP

SUBJECT: INCSR: JAPAN 2008

JAPAN: I. Summary

¶1. (SBU) Japan's efforts to fight drug trafficking comply with international standards; Japan is a party to the 1988 UN Drug Convention. Japan cooperates with other countries in intelligence sharing and law enforcement. Methamphetamine abuse remains the biggest challenge to Japanese antinarcotics efforts, marijuana use is widespread and MDMA (Ecstasy) trafficking continues to increase significantly. Cocaine use is much less prevalent but still significant. According to Japanese authorities, all illegal drugs consumed in Japan are imported from overseas, usually by Japanese or foreign organized crime syndicates. In spite of legal and bureaucratic obstacles, Japanese law enforcement officials try to be proactive in addressing Japan's illegal drug distribution problem.

II. Status of Country

¶2. (SBU) Japan is one of the largest markets for methamphetamine in Asia. A significant source of income for Japanese organized crime syndicates, over 80 percent of all drug arrests in Japan involve methamphetamine. MDMA is also a significant problem in Japan and MDMA abuse is increasing. Marijuana is the second most commonly used drug in Japan and is readily available. There is little evidence of domestic commercial cultivation, though there are some indications of small scale production. Japan is not a significant producer of narcotics. According to DEA and the National Police Agency, there is no conclusive evidence that methamphetamine or any other synthetic drug is manufactured domestically. There is however some anecdotal evidence that small quantities of MDMA and methamphetamine may be being produced in Japan.

III. Country Actions Against Drugs in 2008

Policy Initiatives.

¶3. (SBU) The Headquarters for the Promotion of Measures to Prevent Drug Abuse, which is part of the Prime Minister's

Office (Kantei), announced the Five-Year Drug Abuse Prevention Strategy in July 2003. This strategy includes measures to increase cooperation and information sharing among Japanese agencies and between Japanese and foreign law enforcement officials, promotes greater utilization of advanced investigative techniques against organized crime syndicates, and mandates programs to raise awareness about the dangers of drug abuse. In practice, information sharing with foreign law enforcement officials has been almost entirely one way, with much information provided to Japanese authorities and little shared in return. The Ministry of Health, Labor and Welfare added 30 more drugs to its list of controlled substances in 2006. In 2008 it added three more drugs to its list of narcotic substances.

Law Enforcement Efforts.

¶4. (SBU) Japanese police are effective at gathering intelligence. Investigations however are largely reactive in nature, and normally only disrupt drug operations at the lowest levels, that of couriers and street dealers. Prosecutors do not have the plea-bargaining tools to motivate the assistance of co-defendants and co-conspirators in furthering investigation. Japan also has laws restricting the proactive use of informants, undercover operations, and controlled deliveries using a human courier. Proactive policing rarely occurs, and only when very strict legal, and bureaucratic hurdles can be overcome. Although wiretapping remains infrequent, police are increasingly making use of legislation that took effect in 2003 authorizing the use of telephone intercepts. In addition, officials maintained

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detailed records of Japan-based drug trafficking, organized crime, and international drug trafficking organizations. Japanese authorities do attempt to engage in international drug trafficking investigations. Legal constraints however restrict them from passing useful and timely information of real assistance in international drug-trafficking investigations. These same legal restrictions make it very difficult for police authorities to pro-actively investigate members of international drug cartels who operate in Japan.

¶5. (SBU) The reduction in methamphetamine supply that began mid-2006 appears to have reversed. Law enforcement officials believe that Chinese traffickers using supplies from China and Canada have stepped in to fill the gap presumably created by the 2006 closure of several methamphetamine mega-labs in Indonesia, Malaysia, and the Philippines, as well as tightened security measures in the Sea of Japan.

Methamphetamine prices have returned to their May 2006 levels, indicating a significant rebound in supply. Arrests in 2008 show that Iranians remain active as dealers at the street-level out of proportion to their share of the non-native population.

¶6. (SBU) After a year of unremarkable interdiction results in 2006, increased efforts by customs officials produced dramatic results in 2007, and these continued to improve in 2008, particularly at Narita and Kansai International Airports. However, because of the nature of Japanese laws, these seizures result in little more than the arrest of the courier, and do nothing but inconvenience the larger drug-trafficking organization. In the January through June 2008 Police and Customs Officials seized 58,966 MDMA tablets, 42.1 kg of methamphetamine, and 94.7 kg of marijuana (a 2.5 times increase over the same period of the previous year). There were no major methamphetamine seizures in the first quarter of this year, although there was an 8.8 percent increase in methamphetamine arrests between January and June 2008. Cannabis resin seizures for January - June were 8.8 kg approximately 20 percent lower than the same period of the previous year. During the January through June period a total of .9 kg of cocaine, and 6.2 kg of opium were seized. There were no heroin seizures in this period.

Corruption.

¶7. (SBU) There were no reported cases of Japanese officials being involved in drug-related corruption in Japan in 2008. The government does not encourage or facilitate the illicit production or distribution of narcotics, psychotropic drugs, controlled substances, or the laundering of proceeds from illegal drug transactions.

Agreements and Treaties.

¶8. (SBU) Japan's parliament failed to agree on an anti-conspiracy bill for the fifth consecutive year. As a result, Japan still cannot ratify the UN Convention on Transnational Organized Crime. Japan is a party to the 1988 UN Drug Convention, the 1961 UN Single Convention on Narcotic Drugs, the 1972 Protocol amending the Single Convention, and the 1971 UN Convention on Psychotropic Substances. An extradition treaty is in force between the U.S. and Japan, and a Mutual Legal Assistance Treaty (MLAT) went into effect in August 2006, Japan's first MLAT with any country. The MLAT allows Japan's Ministry of Justice to share information and cooperate directly with the Department of Justice in connection with investigations, prosecutions and other proceedings in criminal matters. The MLAT is being used with some regularity between Japanese and U.S. law enforcement. Despite verbal commitments, Japan has still not joined the International Drug Enforcement Conference (IDEC).

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Cultivation/Production.

¶9. (SBU) Japan is not a significant cultivator or producer of controlled substances. The Ministry of Health, Labor, and Welfare's research cultivation program produces a negligible amount of narcotic substances purely for research purposes.

Drug Flow/Transit.

¶10. (SBU) Authorities believe that methamphetamine smuggled into Japan primarily originates in the People's Republic of China (PRC). This is substantiated by a five-fold increase in methamphetamine prices around the time of the Beijing Olympics. Other nations in Asia certainly contribute to the flow of methamphetamine into Japan, and should not be discounted. Most of the precursor chemicals for production appear to originate in China, and most transshipment takes place through China. Malaysia, Indonesia, and The Philippines have documented production while evidence for Taiwan is largely anecdotal. The case for Burma and the DPRK is less clear. Drugs including methamphetamine often come from these same source countries. Airport customs officials occasionally make seizures of cocaine transiting from the United States. Authorities confirm that methamphetamine, MDMA, and marijuana are being imported in large quantities from Canada. Most of the MDMA in Japan originates in either the Europe or Canada.

Domestic Programs/Demand Reduction.

¶11. (SBU) Most drug treatment programs are small and are run by private organizations, but the government also supports the rehabilitation of addicts at prefectural (regional) centers. There are a number of government-funded drug awareness campaigns designed to inform the public about the dangers of stimulant use, especially among junior and senior high school students. The Ministry of Health, Labor, and Welfare, along with prefectural governments and private organizations, continues to administer national publicity campaigns and to promote drug education programs at the community level.

IV. U.S. Policy Initiatives and Programs

Policy Initiatives.

¶12. (SBU) U.S. goals and objectives include strengthening law enforcement cooperation related to controlled deliveries and drug-related money-laundering investigations; supporting increased use of existing anticrime legislation and advanced investigative tools against drug traffickers; and promoting substantive involvement from government agencies responsible

for financial transaction oversight, and control of money-laundering operations.

The Road Ahead.

¶13. (SBU) DEA Tokyo will continue to work closely with its Japanese counterparts to offer support in conducting investigations on international drug trafficking, money-laundering, and other crimes. However, law enforcement efforts alone, without political backing to change restrictive Japanese laws, will not make Japan an equal partner in international counter-narcotics efforts.

SCHIEFFER